

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

EDEKKA LLC,

Plaintiff,

v.

FOOTLOCKER.COM, INC.,

Defendant.

Case No. 2:14-cv-432

PATENT CASE

JURY TRIAL DEMANDED

AGREED MOTION TO DISMISS WITH PREJUDICE

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, Plaintiff eDekka LLC (“eDekka”) and Defendant Footlocker.com, Inc. (“Footlocker.com”) file this agreed motion to dismiss with prejudice. The parties have agreed to settle all claims in the above-captioned action. The parties, therefore, move this Court to dismiss this action and all claims by eDekka against Footlocker.com made therein, with prejudice, with each party to bear its own costs, attorney’s fees and expenses.

Wherefore, Plaintiff eDekka respectfully requests that the Court enter the proposed order of dismissal submitted with this motion.

Dated: August 27, 2014

Respectfully submitted,

/s/ Craig Tadlock
Craig Tadlock
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John J. Harvey, Jr.
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Attorneys for Plaintiff eDekka LLC

CERTIFICATE OF CONFERENCE

I hereby certify that on August 27, 2014, I conferred by email with counsel for Defendant. Defendant's counsel has agreed to the form and substance of this motion. Accordingly, this motion is an agreed motion.

/s/ Keith Smiley
Keith Smiley

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 27th day of August, 2014.

/s/ Craig Tadlock
Craig Tadlock